

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
MARTINSBURG**

**UNITED STATES OF AMERICA,  
Plaintiff,**

**v.**

**CRIMINAL ACTION NO. 3:19-CR-61  
(Judge Groh)**

**JEFFREY ALLEN JOHNSON,  
Defendant.**

**MOTION TO WITHDRAW MOTION TO  
AMEND/CORRECT CLERICAL ERROR IN INDICTMENT**

The United States of America and William J. Powell, United States Attorney for the Northern District of West Virginia, by Assistant United States Attorney Kimberley Crockett, moves the court to withdraw the motion to correct a clerical error in Count Two of the Indictment filed pursuant to Rule 36 of the Federal Rules of Criminal Procedure. [Doc. 29]. The parties will resolve the issue with the preparation of an Information.

Respectfully submitted,

WILLIAM J. POWELL  
UNITED STATES ATTORNEY

By: /s/ Kimberley Crockett  
Kimberley Crockett  
Assistant United States Attorney  
217 West King Street, Suite 400  
Martinsburg, WV 25401  
Phone: 304-262-0590

**CERTIFICATE OF SERVICE**

I, Kimberley Crockett, Assistant United States Attorney, for the Northern District of West Virginia, certify that on February 18, 2020, the foregoing **MOTION TO WITHDRAW** **MOTION TO CORRECT CLERICAL ERROR IN INDICTMENT** was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Aaron D. Moss  
Federal Public Defender Office  
651 Foxcroft Ave  
Suite 202  
Martinsburg, WV 25401

Respectfully submitted,  
WILLIAM J. POWELL  
UNITED STATES ATTORNEY

By: /s/ Kimberley D. Crockett  
Assistant United States Attorney